

**UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ISHMAEL HOLLOWAY,

Defendants.

**ORDER REGARDING  
GOVERNMENT'S MOTION TO  
STRIKE; DEFENDANT'S REQUEST  
FOR EVIDENTIARY HEARING  
(DOCS. 252, 253)**

Case No. 3:15-cr-00101-04-TMB-DMS

The government filed a motion to strike, (Doc. 253), Defendant Ishmael Holloway's Request for Evidentiary Hearing Concerning his First Motion to Suppress, (Doc. 252). Holloway's motion was originally entered into CM/ECF as a reply. This error was corrected on June 2, 2016. (*See* Doc. 252). The government argues that the Request for Evidentiary Hearing should be stricken because it is a reply to the government's opposition without leave of the court in violation of AK R USDCT LCrR 47.1(c). The government's motion to strike is DENIED because Holloway's Request for Evidentiary Hearing is a motion, not a reply.

Holloway's Motion for Evidentiary Hearing is also DENIED as moot. The Court previously set an evidentiary hearing for June 22, 2016, at 1:30 p.m. on Holloway's First Motion to Suppress on May 18, 2016, at Docket 238.

DATED this 6<sup>th</sup> day of June, 2016, at Anchorage, Alaska.

S/DEBORAH M. SMITH  
CHIEF U.S. MAGISTRATE JUDGE